

IN THE UNITED STATES DISTRICT COURT
FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

JERMAINE WEEKS,

Petitioner

v.

CYNTHIA LINK,

Respondent

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CIVIL NO. 4:CV-15-2211

(Judge Brann)

ORDER

January 7, 2016

In accordance with the accompanying Memorandum, **IT IS HEREBY**

ORDERED THAT:

1. In accordance with the Petitioner's Notice of Election (Doc. 6) to discontinue this action, the instant petition is **DEEMED WITHDRAWN**.
2. **DISMISSAL IS WITHOUT PREJUDICE** and Weeks may file another § 2254 petition raising all grounds for relief from his conviction within the one (1) year statutory period prescribed by 28 U.S.C. § 2244(d)(1).
3. The Clerk of Court is directed to **CLOSE** this case.

4. There is no basis for the issuance of a Certificate of Appealability.
5. Petitioner's motion (Doc. 5) seeking appointment of counsel is **DISMISSED AS MOOT.**

BY THE COURT:

s/ Matthew W. Brann
Matthew W. Brann
United States District Judge